

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

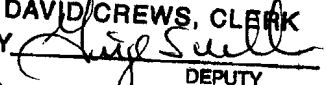
**FILED**

**MAR 30 2011**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:10CR163

DAVID CREWS, CLERK  
BY  DEPUTY

MARCUS WESTBROOK

**PLEA AGREEMENT**

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. **GUILTY PLEA:** The defendant agrees to plead guilty under oath to Counts One and Two of the Indictment. Count One charges armed bank robbery, in violation of Title 18, United States Code, Sections 2113(a) and 2113(d), which carries maximum possible penalties of not more than 25 years imprisonment, \$250,000 fine, 5 years supervised release, and a special assessment of \$100. Count Two charges knowingly brandishing and carrying and using firearms in furtherance or and during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, armed bank robbery, in violation of Title 18, United States Code, Section 924(c)(1)(A), which carries maximum possible penalties of not less than 7 years incarceration, consecutive to any other incarceration, not more than 5 years supervised release, not more than \$250,000 fine, and restitution is appropriate.

2. OTHER CHARGES: The United States agrees not to charge the defendant with any other offenses arising from or related to the above charge and agrees to dismiss all other counts of the Indictment as to this defendant upon conclusion of sentencing on Count One.


3. OTHER AUTHORITIES: This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative actions or remedies.

4. VIOLATIONS OF THIS AGREEMENT: If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant, who hereby waives the provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.


6. ACKNOWLEDGMENTS: Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to defendant as to what punishment the Court might impose if it accepts the plea of guilty. This agreement fully reflects all promises,

agreements, and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free, and voluntary, and not the product of force, threat, or coercion. The defendant is pleading guilty because defendant is in fact guilty.


This the 5 day of March, 2011.

  
WILLIAM C. MARTIN  
*First Asst.* United States Attorney

AGREED AND CONSENTED TO:

  
MARCUS WESTBROOK  
Defendant

APPROVED:

  
KENNETH COUGHLAN  
Attorney for Defendant  
Mississippi Bar No.